



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 3110.22US02

Hochschuler et al.

Confirmation No. 7691

Application No.: 10/804,761

Examiner: D. Davis

Filed: March 19, 2004

Group Art Unit: 3733

For: METHOD AND APPARATUS FOR TREATING A VERTEBRAL BODY

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated February 1, 2006, and in accordance with the automatic extension of time for response provided by 37 C.F.R. § 1.136(a), Applicants, through their attorney, elect Group I, Species A and Group II, Species 11 consisting of claims 22, 29, 30-34, and 36-37, without traverse. Please cancel claims 38, 52, 63 and 64 without prejudice. Applicants request that claims 20-21, 35, 39-51, and 53-62 be withdrawn.

The present amendment comprises the following sections:

A. Amendments to the Claims

B. Remarks

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

4-3-06
Date of Deposit

Wendy J. Casick